

III. REMARKS

Status of the Claims

Claims 1, 7, 13 and 62-64 are amended. Claims 1, 3-7, 9-11, 13, 16, 19, 21-37 and 44, 45, 47, and 49-64 are presented for further consideration.

Summary of the Office Action

Claims 1,3-5,7,9-11,13,16,21-29,31-37,44,45, and 49-64 stand rejected under 35USC103(a) on the basis of the cited reference Endsley, U.S. Patent No. 6,005,613, in view of the teaching of the reference Griencewic, U.S. Patent No. 5,801,919.

The Examiner is respectfully requested to reconsider the rejection in view of the above amendments and the following remarks. This rejection is traversed on the following grounds:

The combined teaching of Endsley and Griencewic does not render the claims obvious because it fails to teach or otherwise suggest each and every limitation of the claims. It is well settled that in order to establish a prima facie case for obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, without reference to the disclosure of this application. (MPEP Section 2142) ***In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP § 2143 - § 2143.03 for decisions pertinent to each of these criteria."**

In particular the combined teaching fails to disclose or suggest the claimed features of independent claim 1 as follows:

“using the electronic device for controlling, whether the digital image information, captured by the camera module, is to be transferred to the electronic device as such, or in a reduced form; and”

In particular Endsley fails to disclose or suggest a system, method, or device in which the host device controls the hardware and software that provides communication between a camera module and the host device in a manner, according to the claims, that results in the host device controlling whether the digital image information, captured by the camera module, is to be transferred to the electronic device as such, or in a reduced form. Although only the limitations of claim 1 are stated above, equivalent language now appears in all of the independent claims. The disclosure of the reference Griencewic does not remedy this deficiency in the disclosure of Endsley.

Claim 6 stands rejected under 35USC103(a) on the basis of the reference Sanemitsu in view of the teachings of Endsley in view of Griencewic, and further in view of the disclosure of Miyake, U.S. Patent No. 6,400,413.

Claims 19 and 30 stand rejected under 35USC103(a) based on the reference Sanemitsu in view of the teachings of Endsley and Griencewic and further in view of the disclosure of Hsieh, et al, U.S. Patent No. 5,969,750.

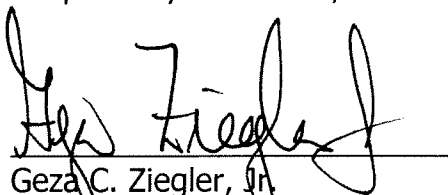
The Examiner is respectfully requested to reconsider these further rejections in view of the above amendments and remarks. The grounds discussed above apply equally to the rejected dependent claims, all of which, by dependency, have the limitations described in the independent claims. None of the cited references remedy the deficiencies of the primary reference Endsley. Therefore the combined teachings cited by the Examiner do not support a prima facie case for obviousness of the claimed subject matter.

In view of the remarks stated above, Applicant submits that all of the claims

under consideration contain patentable subject matter and favorable action by the Examiner is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


Geza C. Ziegler, Jr.
Reg. No. 44,004

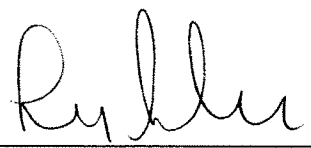
31 JAN 2007
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited transmitted electronically, on the date indicated below, addressed to the Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 31 Jan 2007

Signature: 
Lisa Shimizu
Person Making Deposit